

THE LAW OFFICES OF  
**ANDREW D. FORTNEY, PH.D., P.C.**  
7257 N. MAPLE AVENUE, SUITE 107  
FRESNO, CALIFORNIA 93720

WWW.FORTNEYLAW.COM

TELEPHONE: (559) 299-0128

FAX: (559) 299-0118

EMAIL: INFO@FORTNEYLAW.COM

**RECEIVED**  
**CENTRAL FAX CENTER**

APR 13 2006

ANDREW D. FORTNEY, PH.D.

ALEC B. PLUMB\*

\*REGISTERED PATENT AGENT

ATTN: MAIL STOP AF

COMPANY: COMMISSIONER FOR PATENTS / P.O. BOX 1450, ALEXANDRIA VA 22313-1450

FAX: 1 (571) 273-8300

DATE: 04-13-2006

TIME: 5:55 PM

- ☐ WITH CONFIRMATION  
☒ WITHOUT CONFIRMATION

RE: APPLICATION NO. 10/749,843  
FILED: 12-31-2003

I hereby certify that this document and all documents listed below are being transmitted via facsimile to  
Commissioner for Patents, fax no. (571) 273-8300, on April 13, 2006

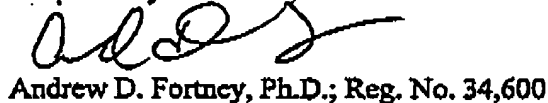
By:

  
Jennie Heaton

SUBMITTED HERewith FOR THE ABOVE-CAPTIONED APPLICATION:

- Transmittal Form
- Amendment and Request for Reconsideration (6 Pgs.)

Respectfully submitted,

  
Andrew D. Fortney, Ph.D.; Reg. No. 34,600

PLEASE DIRECT ANY QUESTIONS REGARDING THE TRANSMISSION OF THIS FAX TO:  
(559) 299-0128 / FAX (559) 299-0118 / INFO@FORTNEYLAW.COM

THIS FAX CONTAINS 8 PAGE(S) INCLUDING THIS ONE.

This message is intended for its recipient(s) only, and may contain attorney-client privileged communications, attorney work product or other privileged communications. No waiver of any applicable legal privilege is intended by this transmission. If this transmission is received in error by other than the intended recipient(s), please notify the Law Offices of Andrew Fortney at the phone/fax number listed at the top of this page and then please return or destroy the transmitted document. Thank you for your cooperation and assistance.

APR 13 2006

PTO/SB/21 (09-04)

Approved for use through 07/31/2008, OMB 0451-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

8

Application Number

10/749,843

Filing Date

12-31-2003

First Named Inventor

Seung Jong YOO

Art Unit

176S

Examiner Name

Vinh, Lan

Attorney Docket Number

SPO200512-0060US / OG03-042

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/  
Incomplete ApplicationReply to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

Remarks



After Allowance Communication to TC

Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify  
below):

• Tax Transmittal Cover Page

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

The Law Offices of Andrew D. Fortney, Ph.D., P.C.

Signature



Printed name

Andrew D. Fortney, Ph.D.

Date

04-13-2006

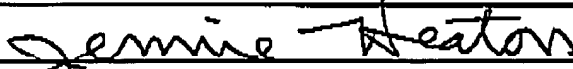
Reg. No.

34,600

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature



Typed or printed name

Jennie Heston

Date

04-13-2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Atty. Docket No. SPO200512-0060US**

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: :  
Seung Jong Yoo : GROUP ART UNIT: 1765  
APPLICATION NO: 10/749,843 :  
FILED: DECEMBER 31, 2003 : EXAMINER: VINH, L.  
FOR: METHOD FOR FABRICATING  
NONVOLATILE MEMORY DEVICE

I hereby certify that this document is being facsimile transmitted to the USPTO or deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 13, 2006.

By:

## Jennie Heaton

AMENDMENT AND REQUEST FOR RECONSIDERATION UNDER 35 U.S.C. 132  
AND 37 C.F.R. 1.111

Mail Stop AF  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**SIR:**

Responsive to the Final Office Action dated February 14, 2006, Applicant respectfully requests reconsideration of the above-identified application in view of the following amendments and remarks.